

Attorney Docket No.: **IRF-0041**
Inventors: **David M. Thomas**
Serial No.: **10/536,534**
Filing Date: **June 27, 2005**
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REMARKS

Claims 1-7 are pending in the instant application.

Claims 4-6 have been withdrawn from consideration by the Examiner. The Examiner has advised that rejoinder of method claims 4-6 would be considered upon indication of allowance of the article claims if the method claims are commensurate in scope with the structure of the article.

Claims 1-3 and 7 have been rejected. Claims 1 and 4 have been amended. Support for these amendments is provided in the specification at page 8, line 28 through page 9, line 11. No new matter is added by these amendments.

Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Rejection of Claims 1-3 and 7 under 35 U.S.C. 112, second paragraph

Claims 1-3 and 7 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner suggests that clarification is required as to how the organo-metallic complex can form a monolayer on the composite surface if it is dispersed or dissolved in a mixture of binder and carbon. The Examiner

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suggests that it is not clear how the surface of a composite can be coated by a substance when it is dissolved in it.

Accordingly, in an earnest effort to advance the prosecution of this case and in accordance with teachings in the specification at page 8, line 28 through page 9, line 11, Applicants have amended the claims to clarify that the monolayer of metal forms on all free surfaces of the composite when the carbon composite is subjected to continued cure and pyrolysis in a reducing gas atmosphere.

Withdrawal of this rejection is therefore respectfully requested.

II. Rejection of Claims under 35 U.S.C. 102(b) and 103(a)

The rejection of claims 1-3 and 7 under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Gamble (U.S. Patent 3,702,592) has been maintained.

Applicant respectfully traverses this rejection.

Claim 1, as well as claim 4, has been amended in accordance with teachings at page 8-9 to clarify that the composite has at least a monolayer of metal on all free surfaces of the composite which forms when the carbon composite is subjected to continued cure and pyrolysis in a reducing gas atmosphere.

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Nowhere does Gamble teach or suggest subjecting the carbon composite to continued cure and pyrolysis in a reducing gas atmosphere to form at least a monolayer of metal on all the free surface of the composite. Instead, Gamble teaches at col. 4, line 65 through col. 5 line 2, that the ablative material "may be poured and troweled, or sprayed". Clearly a composition that can be poured and troweled or sprayed does not comprise at least monolayer of metal on the composite surfaces formed when the carbon composite is subjected to continued cure and pyrolysis in a reducing gas atmosphere.

Accordingly teachings of Gamble can neither anticipate (see MPEP 2131) nor render obvious (see MPEP 2143) the invention as claimed.

Withdrawal of these rejections under 35 U.S.C. 102(b) and 103(a) is therefore respectfully requested.

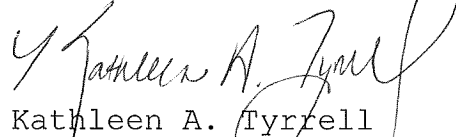
III. Conclusion

Applicant believes that the foregoing comprises a full and complete response to the Office Action of record.

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Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


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Date: **April 3, 2008**

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